

LABOR SERVICES DIVISION[875]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 89A.3, the Elevator Safety Board hereby gives Notice of Intended Action to amend Chapter 71, “Administration of the Conveyance Safety Program,” Chapter 72, “Conveyances Installed On or After January 1, 1975,” and Chapter 73, “Conveyances Installed Prior to January 1, 1975,” Iowa Administrative Code.

Iowa Code subsection 89A.13(7) requires that every three years the Elevator Safety Board conduct a comprehensive review of existing rules, regulations, and standards. These amendments stem from that process.

These amendments make technical changes; remove obsolete language; reduce two fees and increase one fee to better reflect actual costs; and amend rules to conform to statutory authority and current practice. The rule for handicapped restricted use elevators that was inadvertently removed from Chapter 72 in 2000 is restored. The inspection schedule for construction elevators is set at a three-month interval to coincide with the inspection schedule recommended by the American Society for Mechanical Engineers.

The purposes of these amendments are to protect the health and safety of the public, make the rules more clear, align the language with statutory authority and current practice, and implement legislative intent.

If requested in accordance with Iowa Code section 17A.4(1)“b” by the close of business on February 24, 2015, a public hearing will be held on February 25, 2015, at 10 a.m. in the Capitol View Room, 1000 East Grand Avenue, Des Moines, Iowa. Interested persons will be given the opportunity to make oral statements and file documents concerning the proposed amendments. The facility for the oral presentations is accessible to and functional for persons with physical disabilities. Persons who have special requirements should call (515)281-5915 in advance to arrange access or other needed services.

Written data, views, or arguments to be considered in adoption shall be submitted no later than February 25, 2015, to Division of Labor Services, 1000 East Grand Avenue, Des Moines, Iowa 50319-0209. Comments may be sent electronically to kathleen.uehling@iwd.iowa.gov.

No variance procedures are included in this rule making. Applicable variance procedures are set forth in 875—Chapter 66.

After analysis and review of this rule making, no adverse impact on jobs is expected.

These amendments are intended to implement Iowa Code chapter 89A.

The following amendments are proposed.

ITEM 1. Amend subparagraph **71.11(2)“a”(1)** as follows:

(1) Each construction elevator and CPH shall be inspected at intervals not to exceed three months. All other periodic conveyance inspections by state inspectors shall be conducted annually unless the labor commissioner determines resources do not allow annual inspections. If the labor commissioner determines quarterly inspections of construction elevators and CPHs and annual inspections of other state-inspected conveyances are not feasible due to insufficient resources, the labor commissioner shall determine the inspection schedule.

ITEM 2. Amend paragraph **71.11(3)“a”** as follows:

a. The labor commissioner’s designee shall inspect altered conveyances, construction elevators, CPHs, previously dormant conveyances being returned to service, wind tower lifts exempted from ASME A17.1 by rule 875—72.12(89A), relocated conveyances, and new conveyances.

ITEM 3. Rescind and reserve rule **875—71.13(89A)**.

ITEM 4. Amend paragraph **71.16(2)“a”** as follows:

a. ~~Hydraulic elevator: \$100~~ Construction elevator: \$200.

ITEM 5. Reletter paragraphs **71.16(2)“e”** to **“j”** as **71.16(2)“g”** to **“l.”**

ITEM 6. Adopt the following new paragraphs **71.16(2)“e”** and **“f”**:

e. Handicapped restricted use elevator: \$100.

f. Other hydraulic elevator: \$100.

ITEM 7. Amend subrule 71.16(4) as follows:

71.16(4) Alteration permits.

a. The fee for any elevator alteration permit ~~except a CPH extension~~ shall be \$500 and shall cover the initial print review, alteration permit, and initial inspection.

b. The fee for each CPH extension shall be \$150. The total fee required for all planned CPH extensions shall be submitted with the installation permit application pursuant to subrule 71.5(3).

c. The fee for an alteration permit shall be \$500 if the only alteration is the addition or replacement of an escalator skirt brush.

~~e.~~ d. For all other conveyances, the fees for new installations shall apply to alterations.

ITEM 8. Amend subrule 72.1(8), introductory paragraph, as follows:

72.1(8) For installations ~~on or after~~ between July 19, 2012, and January 30, 2014:

ITEM 9. Adopt the following new rule **875—72.27(89A)**:

875—72.27(89A) Handicapped restricted use elevators. All handicapped restricted use elevators must meet ANSI A17.1 (1981), Part V. Additionally, the elevators shall comply with the following limitations:

1. The elevator shall be used only by a maximum of one disabled person and one attendant at a time. Where a disabled person cannot operate the elevator in a manner which will ensure access to all operating controls and safety features, an attendant shall accompany the disabled person.

2. The elevator shall be key-operated and shall not be capable of being called by buttons or switches but may be called by a key operator.

3. Keys to operate the elevator shall be in the control of the disabled person, the attendant or persons in positions of responsibility at the location.

4. A list shall be maintained at the location indicating the persons holding keys for the operation of the elevator.

5. Each landing and the elevator car shall be posted to indicate that the elevator is only for the use of disabled persons.

6. The travel distance of the elevator shall not exceed 50 feet.

ITEM 10. Amend subrule 73.7(10) as follows:

73.7(10) All electrical equipment ~~in the machine room~~ pertaining to the elevator shall ~~be grounded and shall conform to ANSI C1-1975 (NFPA 70-1975).~~

ITEM 11. Amend rule **875—73.21(89A)**, introductory paragraph, as follows:

875—73.21(89A) Handicapped restricted use elevators. All handicapped restricted use elevators must meet ANSI A17.1 (1981), Part V. ~~Permits will be reissued only for locations where other elevators do not exist and where the absence of the elevator would deprive a known group of physically disabled individuals use of the building.~~ Additionally, the elevators shall comply with the following limitations: